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AMENDMENT TO
WYOMING Land Use Decisions

Eastern Powder River Basin Area

Management Framework Plan

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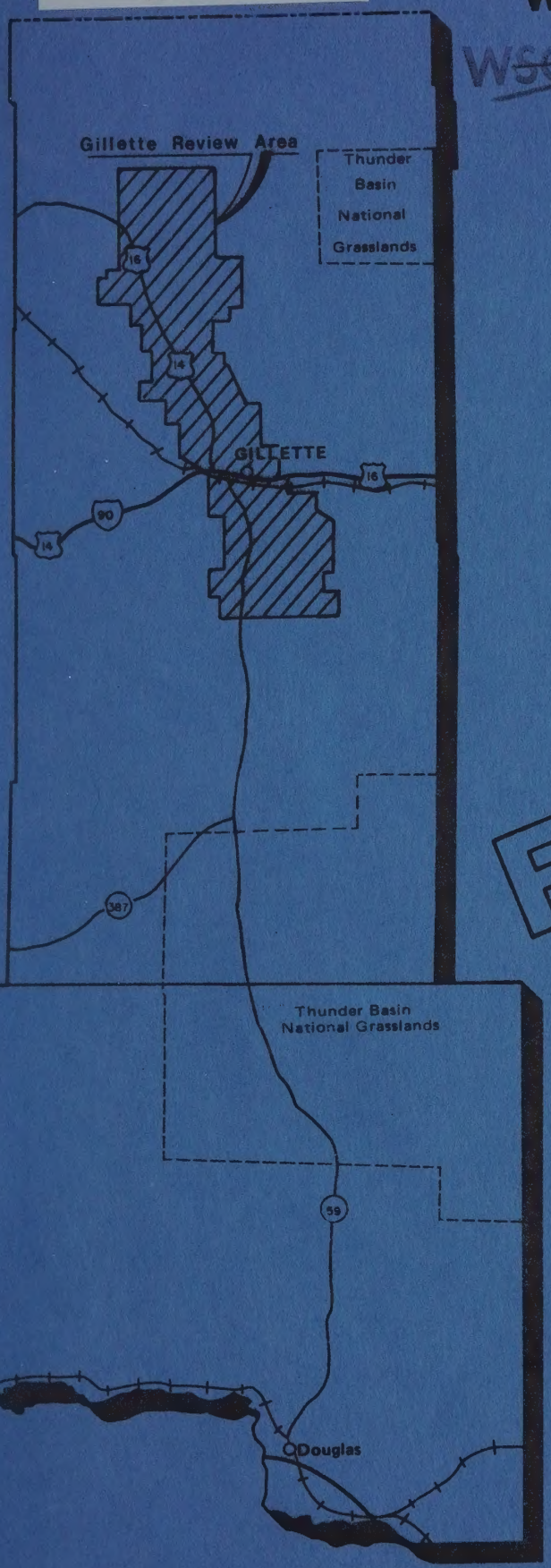

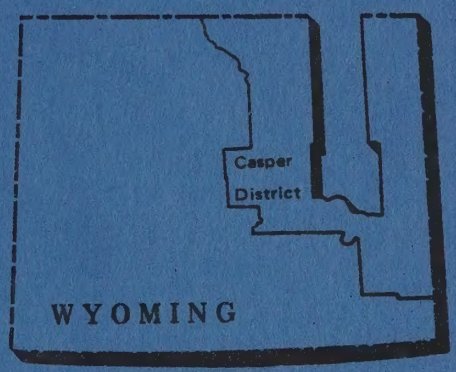

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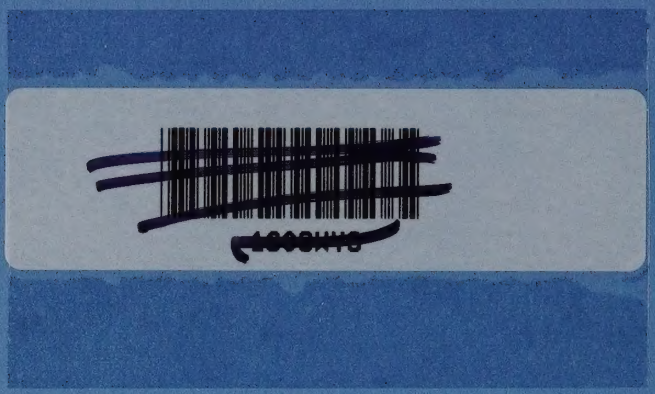

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PURPOSE OF BROCHURE

This brochure summarizes the decisions for the Eastern Powder River Basin Management Framework Plan (MFP) Amendment.

The Eastern Powder River Basin MFP, completed in 1977, is a multiple use plan covering all resource programs conducted by BLM in Campbell and Northern Converse Counties. The amendment applies to those portions of the MFP pertaining to federal coal resources in North Central Campbell County. The amendment was necessary to reflect new policies and procedures for coal leasing under the federal coal management program, adopted by the Secretary of the Interior in June 1979.

My staff and I thank the organizations and individuals who contributed information and ideas to the amendment. If you have questions or want to review the 1977 MFP or amendment please let us know.

Robert E. Wilber
District Manager
Casper District
June, 1980

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PAST PLANNING

The 1977 MFP identified an area of 19,200 acres, largely within the Thunder Basin National Grasslands of southeastern Campbell and northeastern Converse counties for potential new leasing. The lands selected were "areas of least concern" with respect to environmental and socioeconomic impacts.

However, a September 1977 court decision, Natural Resources Defense Council v. Hughes, enjoined the Secretary of the Interior from identifying specific coal leasing tracts and further work on the 19,200-acre decision area was suspended.

The Department of the Interior subsequently undertook a review of coal leasing policies and procedures and prepared a new programmatic environmental statement on coal leasing alternatives. Included in the Department's proposed federal coal management program were draft critieria for determining what lands should be declared unsuitable for coal mining.

The Casper District was asked to test the draft criteria on its 1977 plan. Planning within the Thunder Basin National Grasslands was not adequate for such a test so an area adjacent to the grasslands, which contained some of the lands included in the 1977 decision, was selected. It was named the Highlight Review Area.

With adoption of the new federal coal management program in June 1979, the Highlight test was converted into a formal supplement to the 1977 Management Framework Plan. There are about 39,000 acres and 6 billion tons of coal in the Hightlight Review Area that are available for further consideration for leasing.

PURPOSE OF AMENDMENT

The reason for the review and amendment of the 1977 Eastern Powder River Basin MFP is to make certain the plan reflects current statutory requirements and policies, including the requirements of Section 522 of the Surface Mining Control and Reclamation Act of 1977.

Section 522 of the Act requires the Secretary of the Interior to conduct a federal lands review including private surface underlain by federal coal in order to identify lands unsuitable for surface coal mining.

Under the federal coal management program, adopted by the Secretary of the Interior in June 1979, leasing will be considered only for federal lands which have been found acceptable for coal mining after application of 20 unsuitability criteria. The purpose of unsuitability criteria are to point out areas with key features or environmental problems that make them unsuitable for certain types of coal mining and, therefore, unsuitable for coal leasing.

The Secretary has announced a target date of mid-1982 for new competitive leasing in the Powder River Basin and December 1984 for processing all outstanding preference right lease applications (PRLAs), established under the Mineral Leasing Act of 1920.

Based on these instructions, specific objectives for the amendment are:

1. To identify lands which are acceptable for further consideration for competive coal leasing.

2. To process coal preference right lease applications. The lease applications are evaluated for compatibility with land use plans and for suitability for coal mining. During this current amendment process, 13 of the 60 PRLAs in the Casper District will be considered.

3. To identify coal land exchange opportunities. Exchanges for uncommitted federal coal can be considered for existing leases or PRLAs in environmentally sensitive areas.

THE PLANNING AREA

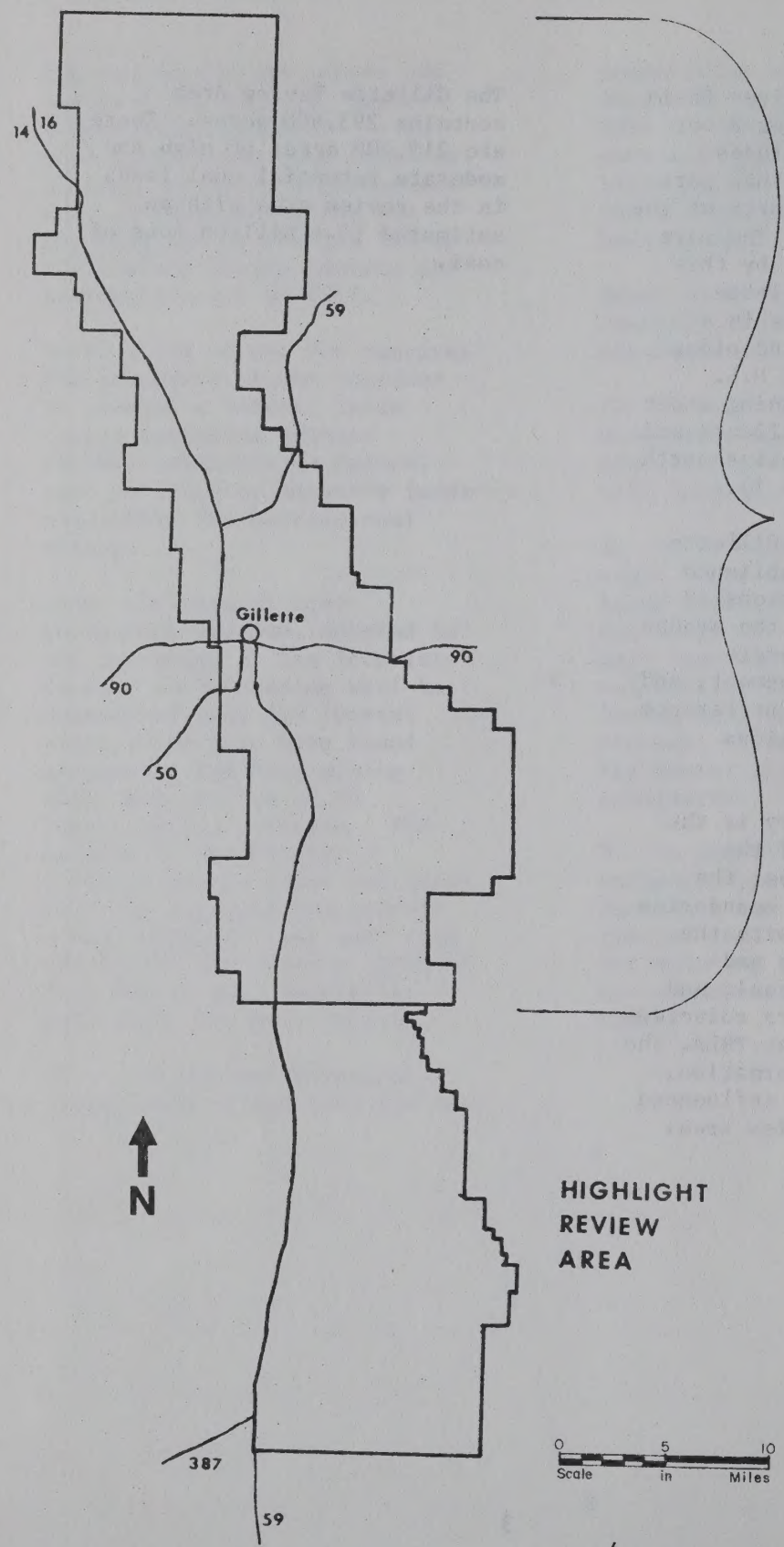
The Eastern Powder River Basin lies within the Powder River Coal Region. It includes Campbell County and that part of Converse County north of the North Platte River. The part of the Basin covered by this amendment is the Gillette Review Area. It lies in a 4-to-10-mile-wide band along State Highway 59 and U.S. Highway 14/16, beginning about 15 miles south of Gillette and extending about 30 miles north of Gillette (see Map 1).

The boundary of the Gillette Review Area was established along legal subdivisions to include (1) coal in the Wyodak seam of high or moderate potential for development, and (2) the 13 existing preference right lease applications being processed.

The southern boundary is the northern boundary of the Highlight Review Area; the eastern and western boundaries correspond roughly with the known limits of high and moderate potential coal; and the northern boundary coincides with the northernmost PRLA. The availability of information, manpower, and funds influenced the size of the review area.

The Gillette Review Area contains 293,500 acres. There are 219,400 acres of high and moderate potential coal lands in the review area with an estimated 15.6 billion tons of coal.

Map I
Gillette Review Area
Index Map



MANAGEMENT DECISIONS

The planning process consisted of 4 major steps: 1) exclusion of non-federal and committed federal coal, 2) application of planning constraints, 3) application of unsuitability criteria, and 4) surface owner consultation.

Public participation during the planning process included: 1) public notice of the review issued in December 1979; 2) a public meeting in Gillette, Wyoming held on February 4 to explain the planning process; 3) a proposed decision brochure issued on March 26, 1980, for a 90-day public review and comment; and 4) a public meeting and hearing conducted in Gillette on June 18, 1980, to present the proposed decisions and receive oral comments.

NON-FEDERAL AND COMMITTED FEDERAL COAL

The first step in amending the MFP was to eliminate non-federal and committed federal coal from the 219,400 acres and 15.6 billion tons of high and moderate coal in the review area. About 64,900 acres and 4.6 billion tons of state and privately owned and federally leased coal were excluded (See Table 1).

PLANNING CONSTRAINTS

Planning constraints from the 1977 MFP were applied to federal coal lands in the review area as follows:

1. Socioeconomic - The 1977 multiple use decision to confine new coal leasing to an area approximately half way between the communities of Douglas and Gillette was based on environmental and socioeconomic factors. At that time it appeared that the communities needed additional time to accommodate added socioeconomic effects of coal development. This view was supported by public comment and BLM's Planning Area Analysis.

Based on an assessment of new information collected by the Wyoming Department of Economic Planning and Development, this constraint is lifted. It now appears the city of Gillette can and is willing to accommodate additional growth. Public sentiment, as demonstrated by opinion surveys taken by the city, supports coal development in the Gillette area.

2. Gillette Buffer - This constraint restricted new leasing in an area immediately adjacent to the city of Gillette. Surface values for community expansion, open space, and a "buffer zone" in this area exceed present mineral values, considering the extent of the coal resource in the total planning area.

In applying the constraint a three mile buffer was placed around the Gillette Planning District. As a result about 29,000 acres and 2.1 billion

TABLE 1

RESULTS OF EXCLUSIONS FROM THE HIGH & MODERATE ZONE

	ACRES	TONS (Billions)
1. Total High & Moderate Coal	219,400	15.6
Non-Federal & Committed Federal Coal		
State Owned	13,400	.9
Privately Owned	12,600	.7
Existing Federal Leases	38,900	3.0
	64,900	4.6
2. High & Moderate Coal Available for Application of Planning Constraints	154,500	11.0
Planning Constraints *		
Gillette Buffer	29,800	2.1
Producing Oil & Gas Areas	10,800	.6
	40,600	2.7
3. High & Moderate Coal Available for Application of unsuitability Criteria	113,900	8.3

*Constraints were not applied to Preference Right Lease Application Area

tons of coal have been excluded from further planning considerations (See Table 1).

3. Producing Oil and Gas Areas - The last constraint postpones coal leasing in producing oil and gas fields until economic recovery of the oil and gas is complete. The intent of the constraint is to maximize production of energy resources and not develop one resource to the detriment of another. The quantities of coal available for potential new leasing in the planning unit make it unnecessary to create new conflicts between coal and oil and gas production.

Boundaries of known geologic structures (KGS's), provided by the Geological Survey (USGS), were used to define producing oil and gas areas. The KGS areas were deleted from planning except where it could be shown that economic recovery of oil and gas is or will be completed prior to commencement of possible coal mining operations. According to the U.S. Office of Surface Mining, three years is the minimum time that mining operations could begin following a lease sale. For instance, if completion of oil and gas production within a KGS is projected before 1985, a coal lease could be sold in the scheduled 1982 sale.

Through public participation, information was supplied to BLM indicating certain areas were no longer producing oil and gas. The U.S. Geological Survey confirmed this information for about 1,000 acres and the constraint has been lifted on those areas. However, if estimates of the productive life of certain oil and gas wells are incorrect and oil and gas is still being produced on portions of a tract at the time of the sale, a stipulation will be placed on the lease precluding mining until economic recovery of the oil and gas is complete. The purpose of this provision is to provide some flexibility in land use planning and to industry in considering potential coal leasing in KGS's where USGS estimates that economic recovery of the oil and gas is nearing completion.

Similarly, if new KGS's are designated before tract delineation and USGS estimates economic recovery of the oil and gas will extend beyond possible commencement of coal mining operations (3 years from lease sale), consideration of leasing in that area will be postponed. However, once a tract is delineated any new KGS designated within the tract will be treated as a resource conflict during site specific analysis and tract ranking.

Application of this constraint eliminated 10,800 acres and .6 billion tons of coal from further planning (See Table 1).

UNSUITABILITY CRITERIA *

The twenty unsuitability criteria were applied to 113,900 acres and 8.3 billion tons of high and moderate potential coal. In addition the criteria were applied to 3,100 acres covered by Preference Right Lease Applications but outside high and moderate coal areas. Findings are summarized below:

CRITERION #1-Federal Lands System - No unsuitability finding.

CRITERION #2-Rights-of-way and Easments - There about 23 acres of rights-of-way on federal surface. Of that total, 21 acres are within Preference Right Lease Application areas. The exception in the criterion that says, "...use can be protected through appropriate stipulations" was applied and no area was found to be unsuitable.

CRITERION #3-Buffer Zones for Rights-of-way, Communities, and Buildings - 47 dwellings were located and a 300 foot buffer zone has been established for each one. Also buffer zones were established along 22 miles of state and federal highway.

CRITERION #4-Wilderness Study Areas - No unsuitability findings.

CRITERION #5-Scenic Areas - No unsuitability findings.

CRITERION #6-Land Used for Scientific Study - No unsuitability findings.

CRITERION #7-Historic Lands and Sites - No unsuitability findings.

CRITERION #8-Natural Areas - No unsuitability findings.

CRITERION #9-Federally Listed Endangered Species Habitat - Potential habitat exists in the review area for the black-footed ferrett. That potential habitat consits of prairie dog towns which have been placed in the category "acceptable pending study". If, during activity planning, a possible lease tract is delineated that contains a prairie dog town, it will be surveyed. If evidence is found indicating the presence of ferrett, the area will become unsuitable for further consideration for leasing. If no evidence is found the area will become acceptable.

CRITERION #10-State Listed Endangered Specie Habitat - No unsuitability findings.

*See 43CFR3400, Subpart 3461 of the final Federal Coal Management Regulation published in the Federal Register on July 19, 1979 for description of the unsuitability criteria.

CRITERION #11-Bald and Golden Eagle Nests - In cooperation with the U.S. Fish and Wildlife Service, a buffer zone was established around one golden eagle nest in the southern portion of the review area. That buffer area is unsuitable for further consideration.

CRITERION #12-Bald and Golden Eagle Roosts - No unsuitability finding.

CRITERION #13-Falcon Nesting Site - One prairie falcon nesting site exists on state owned land. With the help of the U.S. Fish and Wildlife Service and the Wyoming Department of Game and Fish, a buffer was established around the site. The portion of the buffer extending over federal coal land is unsuitable.

CRITERION #14-Migratory Bird Habitat - The only migratory bird habitat for species of high federal interest is the prairie falcon site found unsuitable under Criterion #13.

CRITERION #15-Habitat for State High-Interest Wildlife - The State Game and Fish Department and the Bureau of Land Management found no habitat for high-interest species that is essential for maintaining those species. However, all potential lease tracts will be inventoried for habitat of state high-interest species. The inventory will be conducted in cooperation with the state.

CRITERION #16-Floodplains - Floodplains in the review area can be protected through lease stipulations. Therefore, no area was found to be unsuitable. The U.S. Geological Survey concurred with this finding.

CRITERION #17-Municipal Watershed - No unsuitability findings.

CRITERION #18-National Resource Water - No unsuitability findings.

CRITERION #19-Alluvial Valley Floors - There are no guidelines from the U.S. Office of Surface Mining for defining alluvial valley floors. Therefore, possible alluvial valley floors were identified and placed in the category of "acceptable pending study." In accordance with the Federal Coal Management Regulations, the areas will be carried through activity planning, lease sale, and, if necessary, to the mine permitting stage if guidelines are not issued.

CRITERION #20-State Proposed Criteria-No unsuitability findings.

Results of the application of unsuitability criteria are shown on Table 2. A breakdown of acceptable areas is contained in Table 3 and summarized on the map at the end of the brochure. If during activity planning, any new

TABLE 2

RESULTS OF THE APPLICATION OF UNSUITABILITY CRITERIA

	ACRES	TONS (Billions)
1. High & Moderate Coal Available for Application of Unsuitability Criteria	113,900	8.3

*Unsuitable Findings	ACRES	TONS (Billions)
Criterion #3		
Dwellings	260	.04
Highways	1540	.1
Criteria #11 & #13	600	.06
	2400	.2

	ACRES	TONS (Billions)
2. High & Moderate Coal Available for further consideration for leasing and exchange	111,500	8.1

*Within Preference Right Lease Application Areas, 5 acres & 175,000 tons of coal was found to be unsuitable (Criterion #3 — Dwelling Buffer)

information is found on potential lease tracts relevant to application of the criteria, a new assessment will be carried out which may generate new findings.

SURFACE OWNER CONSULTATION

Surface owners of record, within areas found acceptable for further consideration for leasing, were consulted to determine preference for or against mining. No attempt was made to determine if owners were "qualified surface owners" and no consultation was carried out in Preference Right Lease Application areas.

Letters were sent to about 100 owners and about 1/4 indicated a preference against leasing on at least a portion of their land. The total preference against leasing involves about 17,600 acres, containing 1.3 billion tons of coal.

No area has been dropped from further consideration as a result of surface owner consultation. However, once tracts are delineated those surface owners who have expressed a preference against new leasing will be contacted again concerning surface owner qualifications and consent to mining. If it appears the owner is "qualified" and intends not to give consent, potential lease tracts will not be delineated on the surface owners' area.

ACTIONS AFTER THE AMENDMENT

The management decisions reached in this amendment indicate which federal coal lands are acceptable for further consideration for coal leasing and lease exchanges. A 30-day protest period will follow the amendment. During that time, any person who participated in the planning process and has an interest which may be adversely affected by the decision may protest the approval of the amendment. Once approved, activity planning will begin which includes the identification of tracts for lease, their ranking by socioeconomic and environmental factors, and preparation of a regional environmental impact statement for coal development in the Montana and Wyoming portions of the Powder River Basin.

TABLE 3

SUMMARY OF ACCEPTABLE AREAS

	ACRES	TONS (Billions)
High & Moderate Coal Available for further consideration for leasing	111,500	8.1

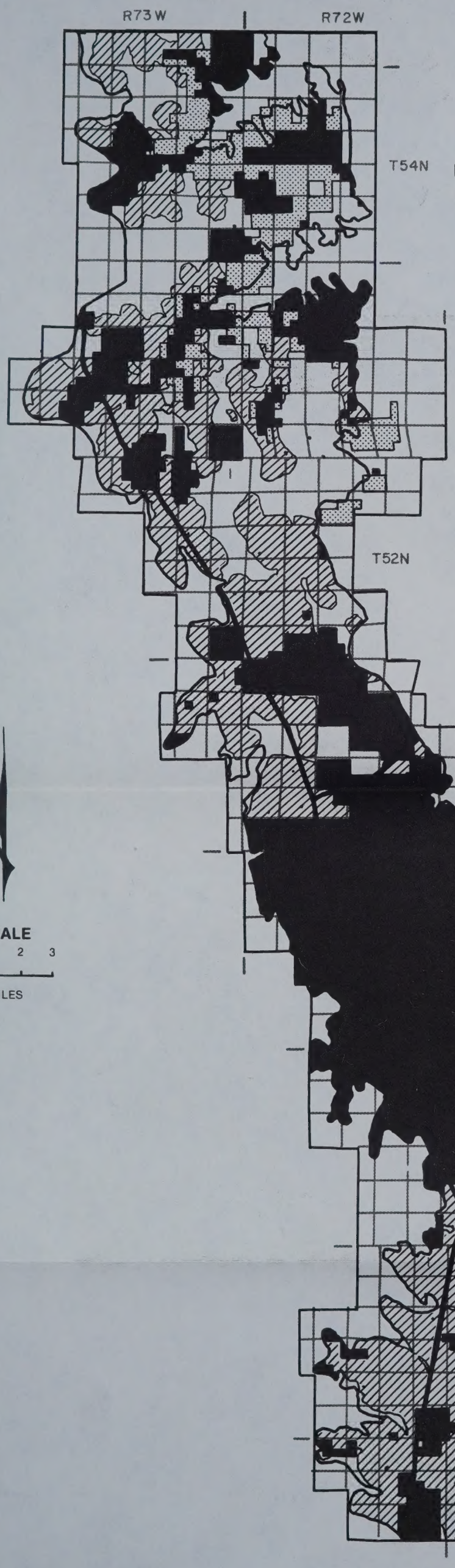
	ACRES	TONS (Billions)
Preference Right Lease Applications within High & Moderate Coal		
Acceptable	5,600	.2
Acceptable Pending Study		
Criterion # 9	(40 acres included with #19)	
Criterion #19	7,200	.3
	12,800	.5
Outside High & Moderate Coal		
Acceptable	2,400	
Acceptable Pending Study		
Criterion #19	700	
	3,100	
Non-committed Federal coal available For Competitive Leasing & Exchange		
Acceptable	37,700	2.8
Acceptable Pending Study		
Criterion # 9*	100	Nominal
Criterion #19	60,900	4.8
	98,700	7.6

*300 Acres Fall Within The Criterion #19 Area

GILLETTE REVIEW AREA

MANAGEMENT DECISIONS

EASTERN POWDER RIVER BASIN
MANAGEMENT FRAMEWORK PLAN



LEGEND:

EXCLUDED AREA (Non-Federal & Committed Federal Coal, Planning Constraints, and Unsuitable Areas

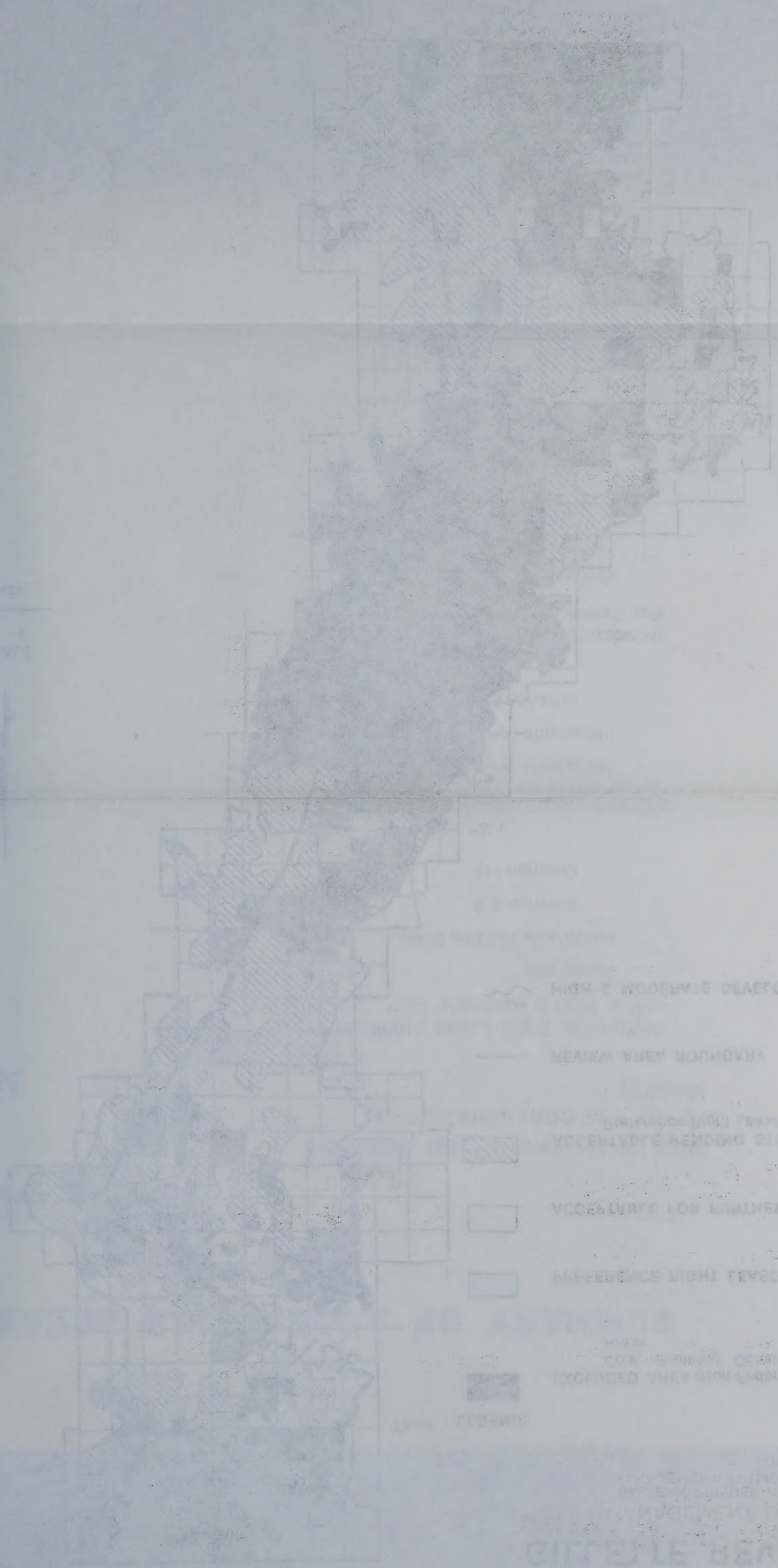
PREFERENCE RIGHT LEASE APPLICATION AREAS

ACCEPTABLE FOR FURTHER CONSIDERATION

ACCEPTABLE PENDING STUDY (Not Shown on Preference Right Lease Application Area)

REVIEW AREA BOUNDARY

HIGH & MODERATE DEVELOPMENT COAL



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